

## Ansel Halliburton

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**From:** Furness, Aimee <Aimee.Furness@haynesboone.com>  
**Sent:** Wednesday, November 27, 2013 1:01 PM  
**To:** Jack Russo; Westreich, Glenn  
**Cc:** Ansel Halliburton; Eric Young  
**Subject:** RE: Proposed Joint Motion....

No thanks, Jack.  
We will not agree.

Aimee

**haynesboone**

**Aimee Furness**

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**From:** Jack Russo [mailto:jrusso@computerlaw.com]  
**Sent:** Wednesday, November 27, 2013 2:29 PM  
**To:** Westreich, Glenn; Furness, Aimee  
**Cc:** Ansel Halliburton; Eric Young  
**Subject:** AFD: Proposed Joint Motion....

Glenn,

As we discussed (and you told me you would give it some thought), please let me know today if you can agree to this Joint Request for leave to file cross-motions. In fact, there is now a second Ninth Circuit case (Hana) which should also be brought to the Court's attention. It seems to me to be far better that we do this now than have lengthy "in limine" motions. My view is that our respective views here can be done in less than 5 pages.

Let me know if you agree and we can get this filed with the Court today. If not, we will file our own motion asking for this leave in which case, of course, you can oppose but to me the better outcome would be to have you join and then file whatever cross-motion position you wish on this on these two very recent (just this month) Ninth Circuit cases. Please advise.

Happy Thanksgiving!

Best Regards,  
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## Ansel Halliburton

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**From:** Westreich, Glenn <Glenn.Westreich@haynesboone.com>  
**Sent:** Monday, December 02, 2013 2:17 PM  
**To:** Jack Russo  
**Cc:** Ansel Halliburton; Eric Young; Furness, Aimee  
**Subject:** RE: Cross-Motion Idea Based on Recent Ninth Circuit Law.....

Amy communicated our rejection of this proposal last Wednesday.

By the way, thank you for including her on your e-mail. Please include her on all future communications.

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**From:** Jack Russo [mailto:jrusso@computerlaw.com]  
**Sent:** Monday, December 02, 2013 1:32 PM  
**To:** Westreich, Glenn  
**Cc:** Ansel Halliburton; Eric Young; Furness, Aimee  
**Subject:** AFD: Cross-Motion Idea Based on Recent Ninth Circuit Law.....

Any reason to have a further discussion about this in light of last week's email exchanges and the recent cases (two of them now) from the Ninth Circuit that issued last month? Let me know and I am happy to call you today. If your position stands, can you let me know that as well. Thanks!

Best Regards,  
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